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HE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Ap Karl BOUTELET et al.

Group Art Unit: 1616

Application No.: 10/617,092

Examiner: SHELLEY A DODSON

Filing Date:

July 11, 2003

Confirmation No.: 1950

Title: PHOTOPROTECTIVE/COSMETIC COMPOSITIONS COMPRISING SULFONIC/HYDROPHOBIC

AMPHIPHILIC POLYMERS

SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450

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Alexandria, VA 22313-1430	
Sir:	,
Attached please find an executed Terminal Data The requisite fee is \$65.00 (2814) \$130.0	Disclaimer in connection with the application identified above 00 (1814)
Charge to Deposit Account A check in the amount of \$130.00 Charge to credit card. For	is enclosed for the fee due.
This paper is submitted in duplicate.	
	Respectfully submitted,
i .	BURNS, DOANE, SWECKER & MATHIS, L.L.P.
,)	
P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620	By Mary Katherine Baumeister Registration No. 26,254
Date: October 11, 2005	

PTO/SB/25 (08-03)
Approved for use through 07/31/2006, OMB 0651-0031
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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT			Docket Number (Optional) 016800-630			
In re Patent Application of:	Karl BOUTE	.ET et al.				
Application od:PE						
Filed:	July 11, 2003					
For: OCT 1 1 2005		PHOTOPROTECTIVE/COSMETIC COMPOSITIONS COMPRISING SULFONIC/HYDROPHOBIC AMPHIPHILIC POLYMERS				
The owner L'Oréal S.A., of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 and 173 as presently shortened by any terminal disclaimer, of prior Patent No. 6,902,722. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.						
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: Expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.						
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.						
2. The undersigned is an attorney or agent of record.						
		hary Katherine Bouneise	tu	October 11, 2005		
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101101		Registration No. 26,254				
	-	(703) 836-6620				
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□ Terminal disclaimer fee	under 37 C.F	R. § 1.20(d) is included.				
*Statement under 37 C.F.R. § 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.						

Karl BOUTELET et al.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

e Patent Application of

Application No.: 10/617,092

Filed: July 11, 2003

For:

PHOTOPROTECTIVE/COSMETIC **COMPOSITIONS COMPRISING** SULFONIC/HYDROPHOBIC AMPHIPHILIC POLYMERS

MAIL STOP AMENDMENT

Group Art Unit: 1616

Examiner: SHELLEY A DODSON

Confirmation No.: 1950

COMMENTS ACCOMPANYING FILING OF TERMINAL DISCLAIMER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

It is applicants' understanding that the accompanying terminal disclaimer with respect to Candau et al. U. S. Patent No. 6,902,722 is needed to obviate an obviousness-type double patenting rejection which would otherwise be made herein and that this is the only outstanding matter.

This terminal disclaimer is being filed solely to expedite prosecution of the present application and to once again place this application in allowable form. The filing of this disclaimer should not be construed as acquiescence in an obviousnesstype double patenting rejection based on the Candau et al. patent, which applicants in fact do not believe to be justified.

In view of the filing of this terminal disclaimer, it is believed that a Notice of Allowance is next in order. Such further, favorable action is earnestly solicited.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Date: October 11, 2005

Mary Katherine Baumeister Registration No. 26,254

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